

HOUSE BILL NO. 198

INTRODUCED BY D. GALLIK

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE DEPARTMENT OF COMMERCE TO ESTABLISH A WEBSITE ON THE INTERNET WORLD WIDE WEB TO BE USED BY ~~PERSONS~~ BUSINESSES PRODUCING ~~MADE IN MONTANA PRODUCTS OR BY PERSONS PROVIDING SERVICES WHO RESIDE OR DO BUSINESS IN MONTANA TO ADVERTISE THEIR PRODUCTS OR SERVICES.~~"

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Promoting made in Montana products via internet. (1) The department of commerce shall establish what is popularly known as a website on the internet world wide web for the purpose of ~~allowing persons to advertise goods made in Montana or to advertise services provided by persons residing or doing business in Montana~~ PUBLISHING A DIRECTORY OF MONTANA BUSINESSES THAT MARKET PRODUCTS QUALIFYING AS MADE IN MONTANA OR GROWN IN MONTANA.

~~(2) A person qualified under subsection (1) to advertise a product or service on the website may have the product or service listed on the website without any cost to the person.~~

~~(3)~~(2) (a) The website ~~must~~ MAY contain information that would allow a potential customer to access directly a ~~person~~ BUSINESS advertising on the website, and the website may be designed to allow the potential customer to access ~~an advertiser's~~ A BUSINESS'S home website if the ~~advertiser~~ BUSINESS has a home website and if the ~~advertiser~~ BUSINESS works with the department of commerce to facilitate that type of access.

(b) The department of commerce is not responsible for processing orders or handling customer questions or complaints on behalf of a ~~person advertising~~ BUSINESS LISTED on the website.

(3) FOR THE PURPOSE OF THIS SECTION, A PRODUCT IS CONSIDERED MADE IN MONTANA OR GROWN IN MONTANA IF IT HAS 50% OR GREATER VALUE-ADDED WITHIN THE STATE.

(4) FOR THE PURPOSE OF THIS SECTION, "VALUE-ADDED" MEANS THAT 50% OF THE RAW MATERIALS AND 50% OF THE LABOR MUST BE ADDED IN THIS STATE WHEN ARRIVING AT A WHOLESALE PRICE OF A PRODUCT.

NEW SECTION. Section 2. Establishing website -- rules -- conduct of public officers and

1 **employees.** (1) The department of commerce may contract with the department of administration or a
2 private vendor for the creation, maintenance, and updating of the website provided for in [section 1].

3 (2) The department of commerce may adopt rules necessary for the creation, maintenance, and
4 updating of the website provided for in [section 1]. The rules may include requirements for the design of
5 the website, information that may be contained in ~~advertising~~ THE BUSINESS DIRECTORY LISTING, the format
6 of ~~advertising~~ THE BUSINESS DIRECTORY LISTING, information that may be provided to potential customers, and
7 updating of material contained in ~~advertising~~ THE BUSINESS DIRECTORY LISTING.

8 (3) Public officers or employees who outside of their work for a public agency are involved in the
9 creation of products ~~or provisions of services~~ that qualify for inclusion on the department of commerce's
10 website provided for in [section 1] may ~~advertise~~ LIST their products ~~or services~~ on the website without
11 being in violation of the provisions of 2-2-121.

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13 NEW SECTION. **Section 3. Codification instruction.** [Sections 1 and 2] are intended to be codified
14 as an integral part of Title 30, and the provisions of Title 30 apply to [sections 1 and 2].

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